

Attorney Docket No.1546.015US1

Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **EFFICIENT AND COST-EFFECTIVE CONTENT PROVISDER FOR CUSTOMER RELATIONSHIP MANAGEMENT (CRM) OR OTHER APPLICATIONS.**

The specification of which was filed on January 14, 2002 as application serial no. 10/047,446.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

- I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).
- I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number

Filing Date

60/341,118

December 17, 2001

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

Attorney Docket No.: 1546.015US1

Serial No. 10/047,446 Filing Date: January 14, 2002

ħ,

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Aronoff, Marvin S. Arora, Suneel Beekman, Marvin L. Berdie, Raymond R. Bianchi, Timothy E. Billion, Richard E. Black, David W. Brennan, Thomas F. Brooks, Edward J., III Chadwick, Robin A. Clark, Barbara J. Clise, Timothy B. Cochran, David R. Dahl, John M. Drake Eduardo E. Embretsen, Janet E. Forrest Bradley A. Gamon, Owen J. Gorrie, Gregory J. Gortyels: Joseph E.	Reg. No. 24,916 Reg. No. 35,052 Reg. No. 42,267 Reg. No. 38,377 Reg. No. 9-50,769 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 35,075 Reg. No. 40,925 Reg. No. 36,477 Reg. No. 38,107 Reg. No. 40,957 Reg. No. 40,957 Reg. No. 46,632 Reg. No. 44,639 Reg. No. 44,639 Reg. No. 40,594 Reg. No. 39,665 Reg. No. 30,837 Reg. No. 36,143 Reg. No. 36,530 Reg. No. 41,791	Greaves, John N. Haack, John L Harris, Robert J. Jackson Huebsch, Katharine A. Jurkovich, Patti J. Kalis, Janal M. Klima-Silberg, Catherine I Kluth, Daniel J. Lacy, Rodney L. Lemaire, Charles A. LeMoine, Dana B. Lundberg, Steven W. Maki, Peter C Malen, Peter L. Mates, Robert E. McCrackin, Ann M. McTavish, Hugh E. Mehrle, Joseph P. Moore, Charles L., Jr. Muller, Mark V. Nama, Kash	Reg. No 40,362 Reg. No 36,154 Reg. No 36,154 Reg. No 37,346 Reg. No 47,670 Reg No 44,813 Reg. No. 37,650 Reg. No. 40,052 Reg. No. 32,146 Reg. No 41,136 Reg. No 36,198 Reg. No 36,198 Reg. No 40,062 Reg. No 30,568 Reg. No 42,832 Reg. No 42,832 Reg. No 42,832 Reg. No 42,834 Reg. No 42,858 Reg. No 42,858 Reg. No 48,341 Reg. No 45,535 Reg. No 33,742 Reg. No 37,509 Reg. No 37,509 Reg. No 44,255	Nelson, Albm J. Nicholson, Lea A. Nielsen, Walter W Padys, Danny J Parker, J. Kevin Perdok, Monique M. Peret, Andrew R. Peterson, David C. Prout, William F Schumm, Sherry W. Schwegman, Micheal L Scott, John C. Smith, Michael G. Speier, Gary J. Steffey, Charles E. Stordal, Leif T. Terry, Kathleen R Tong, Viet V. Viksnins, Ann S. Woessner, Warren D.	Reg. No. 28,650 Reg. No 48,346 Reg. No 25,539 Reg No. 35,635 Reg. No. 33,024 Reg. No. 41,246 Reg. No. 41,246 Reg. No. 47,857 Reg No. 33,995 Reg No. 39,422 Reg. No. 25,816 Reg. No. 45,368 Reg. No. 45,458 Reg. No. 45,458 Reg. No. 25,179 Reg. No. 25,179 Reg. No. 31,884 Reg. No. 45,416 Reg. No. 37,748 Reg. No. 37,748 Reg. No. 30,440
--	---	--	---	---	--

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:
P.O. Box 2938, Minneapolis, MN 55402

Telephone No. (612)373-6900

statements may jeopardize	the validity of the application or any pate	ent issued thereon.	William False
Full Name of joint inventor			
Citizenship: Post Office Address:	United States of America	Residence: Santa Cruz, CA	
Fost Office Address:	233 Sunset Avenue Santa Cruz, CA 95060		
Signature:	14/11	Date:	3/28/02
	Max Copperman		
Full Name of joint inventor	number 2: Allen Cypher		
Citizenship:	United States of America	Residence: Capitola, CA	
Post Office Address:	509 El Salto Drive	on problem, of t	
	Capitola, CA 95010		
Signature:	Mle 5/L	Date:	3/28/02
	Allen Cypher / V		-

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inven Citizenship: Post Office Address:	tor number 3: Raya Fratkina Russian Federation 132 Benefield Boulevard Peekskill, NY 10566	Residence: Peekskill, NY
Signature:	Raya Fratkina	Date:
Full Name of joint invent Citizenship: Post Office Address:	tor number 4: Wendy Fritzke United States of America 6713 Sycamore Avenue NW Seattle, WA 98117	Residence: Seattle, WA
Signature:	Wendy Fritzke	Date:
Full Name of joint invent Citizenship: Post Office Address:	or number 5: Scott B. Huffman United States of America 195 Opal Avenue Redwood City, CA 94062	Residence: Redwood City, CA
Signature:	SCON B. Huffman	Date: 3/28/02
Full Name of joint inventor Citizenship: Post Office Address:	or number 6: <u>Denis Lynch</u> United States of America 5473 Blossom Road Şan Jose, CA 95124	Residence: San Jose, CA
Signature:	Denis Lynch	Date:3/28/02

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint invent Citizenship: Post Office Address: Signature:	or number 7: Samir Mahendra India 919 Kennard Way Sunnyvale, CA 94087 Samir Mahendra	Residence: Sunnyvale, CA Date:	5/28/02
Full Name of joint invent Citizenship: Post Office Address:	or number 8 : Shailaja Venkatsubrama India 1420 Via Del Los Grande	nyan Residence: San Jose, CA	
Signature:	San Jose, CA 95120 A May Way Washington Shailaja Venkatsubramanyan	Date:	3/28/02
Full Name of joint invent Citizenship: Post Office Address:	or number 9: Scott A. Waterman United States of America 780 Bucknall Road Campbell, CA 95008	Residence: Campbell, CA	
Signature:	Scott A. Waterman	Date:	3128/12
Full Name of joint inventor Citizenship: Post Office Address:	United States of America 1121 Cuttings Wharf Road Napa, CA 94559-9733	Residence: Napa, CA	
Signature:	Mark A. Angel	Date:	3/28/02

Attorney Docket No.: 1546.015US1

Serial No. 10/047,446 Filing Date: January 14, 2002

#

THE REAL PROPERTY.

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- prior art cited in search reports of a foreign patent office in a counterpart application, and
- the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and gn.

- It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - Each attorney or agent who prepares or prosecutes the application; and
 - Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, (d) agent, or inventor.



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **EFFICIENT AND COST-EFFECTIVE CONTENT PROVISDER** FOR CUSTOMER RELATIONSHIP MANAGEMENT (CRM) OR OTHER APPLICATIONS.

The specification of which was filed on January 14, 2002 as application serial no. 10/047,446.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/341,118

Filing Date

December 17, 2001

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

Attorney Docket No.: 1546.015US1 Serial No. 10/047,446 Filing Date: January 14, 2002

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

an ousmess in the F	atent and Tradem	ark Office connected her	rewith:		
Anglin, J. Michael	Reg. No. 24,916	Greaves, John N.	Reg. No. 40,362	N-1 A11 ' 1	
Aronoff, Marvin S.	Reg. No. 35,052	Haack, John L.	Reg. No. 36,154	Nelson, Albin J. Nicholson, Lea A.	Reg. No. 28,650
Arora, Suneel	Reg. No. 42,267	Harris, Robert J.	Reg. No. 37,346	Nielsen, Walter W.	Reg. No. 48,346
Beekman, Marvin L.	Reg. No. 38,377	Jackson Huebsch, Katharine A.			Reg. No. 25,539
Berdie, Raymond R.	Reg. No. P-50,769	Jurkovich, Patti J.	Reg. No. 44,813	Padys, Danny J.	Reg. No. 35,635
Bianchi, Timothy E.	Reg. No. 39,610	Kalis, Janal M.	Reg. No. 37,650	Parker, J. Kevin	Reg. No. 33,024
Billion, Richard E.	Reg. No. 32,836	Klima-Silberg, Catherine I.	Reg. No. 40,052	Perdok, Monique M.	Reg. No. 42,989
Black, David W.	Reg. No. 42,331	Kluth, Daniel J.	Reg. No. 32,146	Peret, Andrew R.	Reg. No. 41,246
Brennan, Thomas F.	Reg. No. 35,075	Lacy, Rodney L.	Reg. No. 41,136	Peterson, David C.	Reg. No. 47,857
Brooks, Edward J., III	Reg. No. 40,925	Lemaire, Charles A.	Reg. No. 36,198	Prout, William F.	Reg No. 33,995
Chadwick, Robin A.	Reg. No. 36,477	LeMoine, Dana B.	Reg. No. 40,062	Schumm, Sherry W.	Reg. No. 39,422
Clark, Barbara J.	Reg. No. 38,107	Lundberg, Steven W.	Reg. No. 30,568	Schwegman, Micheal L.	Reg. No. 25,816
Clise, Timothy B.	Reg. No. 40,957	Maki, Peter C.	Reg. No. 42,832	Scott, John C.	Reg. No. 38,613
Cochran, David R.	Reg. No. 46,632	Malen, Peter L.	Reg. No. 44,894	Smith, Michael G.	Reg. No. 45,368
Dahl, John M.	Reg. No. 44,639	Mates, Robert E.	Reg. No. 35,271	Speier, Gary J.	Reg. No. 45,458
Drake, Eduardo E.	Reg. No. 40,594	McCrackin, Ann M.	Reg. No. 42,858	Steffey, Charles E.	Reg. No. 25,179
Embresson, Janet E.	Reg. No. 39,665	McTavish, Hugh E.	Reg. No. 48,341	Stordal, Leif T.	Reg. No. 46,251
Forrest Bradley A.	Reg. No. 30,837	Mehrle, Joseph P.		Terry, Kathleen R.	Reg. No. 31,884
Gamon, Owen J.	Reg. No. 36,143	Moore, Charles L., Jr.	Reg. No. 45,535	Tong, Viet V.	Reg. No. 45,416
Gorrie, Gregory J.	Reg. No. 36,530	Muller, Mark V.	Reg. No. 33,742	Viksnins, Ann S.	Reg. No. 37,748
Gortych, Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 37,509	Woessner, Warren D	Reg. No. 30,440
350	106.110.41,771	Ivama, Kasii	Reg. No. 44,255		
200 - 10 - 10 - 10 - 10 - 10 - 10 - 10 -					
Total Control					
I hereby authori	ize them to act and rel	y on instructions from and ac		ta a	
firm/artanization/who/w	high first sandalasses to	y on instructions from and co	minumicate directi	y with the person/assignee/	attorney/
in the organization who w	men first sends/sent ti	nis case to them and by whom	n/which I hereby d	eclare that I have consented	l after full disclosure
to be represented unless/	until I instruct Schwe	gman, Lundberg, Woessner &	& Kluth, P.A. to the	e contrary.	
Please direct all correspo	ondence in this case to	Schwegman, Lundberg, W	70000mou P 17141	TO A suff state of the	
	machee in this case to	DO D 2000 35	oessner & Kluth,	P.A. at the address indicate	ed below:
		P.O. Box 2938, Minnear	oolis, MN 55402		
And the state of t		Telephone No. (612	2)373-6900		
I hereby declare	that all statements ma	ade herein of my own knowle	dae are true and th	oot all atotaments 1	
belief are believed to be	true and further that t	has statements 1	age are irue and ir	iai all statements made on i	ntormation and
made are nunishable by	auc, and further that t	hese statements were made w	ith the knowledge	that willful false statements	and the like so
made are pullishable by I	me of imprisonment,	or both, under Section 1()()1 a	of Title 18 of the L	nited States Code and that	such willful false
statements may jeopardiz	e the validity of the a	oplication or any patent issue	d thereon.		
Full Name of joint invent	or number 1: Mo	x Copperman			
Citizenship:			2 11 2	-	
D COM	Omted Stat	es of America	Residence: Santa (Cruz, CA	

Post Office Address: 233 Sunset Avenue Santa Cruz, CA 95060 Signature: Date: Max Copperman Full Name of joint inventor number 2: Allen Cypher Citizenship: **United States of America** Residence: Capitola, CA Post Office Address: 509 El Salto Drive Capitola, CA 95010 Signature: Date: Allen Cypher

PAGE 2/

Attorney Docket No.: 1546.015US1 Serial No. 10/047,446 Filing Date: January 14, 2002 Page 3 of 5

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 3: Raya Fratkina
Citizenship: Russian Federation Residence: Peekskill, NY

Post Office Address:	132 Benefield Boulevard Peekskill, NY 10566	
Signature:		Date:
	Raya Fratkina	
Full Name of joint inver	utor number 4: Wendy Fritzke	
Citizenship:	United States of America	Residence: Seattle, WA
Post Office Address:	6713 Sycamore Avenue NW Scattle, WA 98/17	nara: 3-19-02
Signature:	Wendy Fritzke	Date: 5-1700
Full Name of joint inver	itor number 5: Scott B. Huffman	
Citizenship:	United States of America	Residence: Redwood City, CA
Post Office Address:	195 Opal Avenue Redwood City, CA 94062	
Signature:		Date:
	Scott B. Huffman	
Full Name of joint inver	etor number 6: Denis Lynch	
Citizenship:	United States of America	Residence: San Jose, CA
Post Office Address:	5473 Blossom Road San Jose, CA 95124	
Signature:		Date:
	Denis Lynch	

X Additional inventors are being named on separately numbered sheets, attached hereto.

Full Name of joint inventional Citizenship: Post Office Address:	ntor number 7: <u>Samir Mahendra</u> India 919 Kennard Way Sunnyvale, CA 94087	Residence: Sunnyvale, CA	
Signature:	Samir Mahendra	Date:	
Full Name of joint inver Citizenship: Post Office Address:	ntor number 8 : <u>Shailaja Venkatsubram</u> India 1420 Via Del Los Grande San Jose, CA 95120	nanyan Residence: San Jose, CA	
Signature:	Shailaja Venkatsubramanyan	Date:	
Full Name of joint inver Citizenship: Post Office Address:	tor number 9: Scott A. Waterman United States of America 780 Bucknall Road Campbell, CA 95008	Residence: Campbell, CA	
Signature:	Scott A. Waterman	Date:	
Full Name of joint inver Citizenship: Post Office Address:	ttor number 10 : Mark A. Angel United States of America 1121 Cuttings Wharf Road Napa, CA 94559-9733	Residence: Napa, CA	
Signature:	Mark A. Angel	Date:	

Attorney Docket No.: 1546.015US1 Serial No. 10/047,446 Filing Date: January 14, 2002

The state of the s

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Schwegman ■ Lundberg ■ Woessner ■ Kluth

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **EFFICIENT AND COST-EFFECTIVE CONTENT PROVISDER FOR CUSTOMER RELATIONSHIP MANAGEMENT (CRM) OR OTHER APPLICATIONS.**

The specification of which was filed on <u>January 14, 2002</u> as application serial no. <u>10/047,446</u>.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be ninterial to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. §1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number 60/341,118

Filing Date

December 17, 2001

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

No such claim for priority is being made at this time.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael Aronoff, Marvin S. Arora, Suneel Beekman, Marvin L. Berdie, Raymond R. Bianchi, Timothy E. Billion, Richard E. Black, David W. Brennan, Thomas F. Brooks, Edward J., III Chadwick, Robin A. Clark, Barbara J. Clise, Timothy B. Cochran, David R. Dahl, John M. Drake-Eduardo E. Embrason, Janet E. Forress Bradley A. Gamon, Owen J.	Reg. No. 24,916 Reg. No. 35,052 Reg. No. 42,267 Reg. No. 83,377 Reg. No. P-50,769 Reg. No. 39,610 Reg. No. 32,836 Reg. No. 42,331 Reg. No. 42,331 Reg. No. 40,925 Reg. No. 36,477 Reg. No. 38,107 Reg. No. 40,957 Reg. No. 40,957 Reg. No. 40,632 Reg. No. 44,639 Reg. No. 44,639 Reg. No. 40,594 Reg. No. 39,665 Reg. No. 30,837 Reg. No. 36,143	Greaves, John N. Haack, John L Harris, Robert J. Jackson Huebsch, Katharine A. Jurkovich, Patti J. Kalis. Janal M Klima-Silberg, Catherine I. Kluth, Daniel J. Lacy, Rodney L. Lemaire, Charles A LeMoine, Dana B. Lundberg, Steven W. Maki, Peter C. Malen, Peter L. Mates, Robert E. McCrackin, Ann M. McTavish, Hugh E. Mehrle, Joseph P. Moore, Charles L., Jr.	Reg. No. 40,362 Reg. No. 36,154 Reg. No. 37,346 Reg. No. 47,670 Reg. No. 44,813 Reg. No. 37,650 Reg. No. 40,052 Reg. No. 32,146 Reg. No. 32,146 Reg. No. 36,198 Reg. No. 40,062 Reg. No. 40,062 Reg. No. 40,062 Reg. No. 40,062 Reg. No. 42,832 Reg. No. 44,894 Reg. No. 45,535 Reg. No. 45,535 Reg. No. 45,535 Reg. No. 33,742	Nelson, Albin J. Nicholson, Lea A. Nielsen, Walter W. Padys, Danny J. Parker, J. Kevin Perdok, Monique M. Peret, Andrew R Peterson, David C. Prout, William F. Schumm, Sherry W. Schwegman, Micheal L. Scott, John C. Smith, Michael G. Speier, Gary J. Steffey, Charles E. Stordal, Leif T. Terry, Kathleen R. Tong, Viet V. Viksnins, Ann S.	Reg. No 28,650 Reg. No. 48,346 Reg. No. 25,539 Reg. No. 35,635 Reg. No. 33,024 Reg. No. 42,989 Reg. No. 41,246 Reg. No. 47,857 Reg. No. 33,995 Reg. No. 39,422 Reg. No. 39,422 Reg. No. 38,613 Reg. No. 45,368 Reg. No. 45,458 Reg. No. 25,179 Reg. No. 46,251 Reg. No. 31,884 Reg. No. 45,416 Reg. No. 45,416 Reg. No. 45,416
Forrest Bradley A.	Reg. No. 30,837	Mehrle, Joseph P.	Reg. No. 45,535 Reg. No. 33,742	Tong, Viet V. Viksnins, Ann S.	Reg. No. 45,416 Reg. No. 37,748
Gortyell Joseph E.	Reg. No. 41,791	Nama, Kash	Reg. No. 37,509 Reg. No. 44,255	Woessner, Warren D	Reg. No 30,440

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be epresented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:
P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

statements may jeopardize	the validity of the application or any pate	nt issued thereon.	
Full Name of joint inventor	number 1: Max Copperman		
Citizenship:	United States of America	Residence: Santa Cruz, CA	
Post Office Address:	233 Sunset Avenue Santa Cruz, CA 95060		
Signature:		Date:	
	Max Copperman		
Full Name of joint inventor			
Citizenship: United States of America		Residence: Capitola, CA	
Post Office Address:	509 El Salto Drive Capitola, CA 95010		
Signature:		Date:	
	Allen Cypher		

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inver Citizenship: Post Office Address:	Russian Federation 132 Benefield Boulevard Peekskill, NY 10566	Residence: Peekskill, NY	
Signature:	Trath	Date: <u>3/26/02</u>	
	Raya Fratkina		
Full Name of joint inver Citizenship:	ntor number 4: Wendy Fritzke United States of America	Residence: Seattle, WA	
Post Office Address:	6713 Sycamore Avenue NW Seattle, WA 98117		
Signature:	Wendy Fritzke	Date:	
Full Name of joint inventions of joint inventions of the Address:	tor number 5 : Scott B. Huffman United States of America 195 Opal Avenue Redwood City, CA 94062	Residence: Redwood City, CA	
Signature:	Scott B. Huffman	Date:	
Full Name of joint inven	tor number 6 : <u>Denis Lynch</u>		
Citizenship: Post Office Address:	United States of America 5473 Blossom Road San Jose, CA 95124	Residence: San Jose, CA	
Signature:		Date:	
	Denis Lynch		

 \underline{X} Additional inventors are being named on separately numbered sheets, attached hereto.

Filing Date: January 14, 2002

Full Name of joint inven Citizenship: Post Office Address:	tor number 7: <u>Samir Mahendra</u> India 919 Kennard Way Sunnyvale, CA 94087	Residence: Sunnyvale, CA	
Signature:	Samir Mahendra	Date:	
Full Name of joint invent Citizenship: Post Office Address:	tor number 8 : <u>Shailaja Venkatsubram</u> India 1420 Via Del Los Grande San Jose, CA 95120	nanyan Residence: San Jose, CA	
Signature:	Shailaja Venkatsubramanyan	Date:	
Full Name of joint invent Citizenship: Post Office Address:	or number 9: Scott A. Waterman United States of America 780 Bucknall Road Campbell, CA 95008	Residence: Campbell, CA	
Signature:	Scott A. Waterman	Date:	
Full Name of joint inventor Citizenship: Post Office Address:	or number 10: Mark A. Angel United States of America 1121 Cuttings Wharf Road Napa, CA 94559-9733	Residence: Napa, CA	
Signature:	Mark A. Angel	Date:	

Serial No. 10/047,446

A. 3.2 2.3 2.3

Filing Date: January 14, 2002

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
 - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.